UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:

Larry T. Brady,	)	
	)	HPA Docket No. _11-0411_
	)	
Respondent.	)	Complaint

There is reason to believe that the respondent named herein has violated the Horse

Protection Act, as amended (15 U.S.C. §§ 1821-1831), herein referred to as the Act. Therefore,

the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this

complaint alleging the following:

I

1.   Respondent Larry T. Brady is an individual whose mailing address is 11875

Ingrams Mill Road, Byhalia, Mississippi 38611. At all times mentioned herein said respondent

was the constructive owner of the horse known as "Pushover Citation."

2.   On June 13, 2009, respondent Larry T. Brady entered for the purpose of showing

or exhibiting the horse known as "Pushover Citation" as entry number 232 in class number 17,

at the Guntown Lion's Club Walking Horse Show.

4.   On June 13, 2009, respondent Larry T. Brady constructively allowed the entry for

the purpose of showing or exhibiting the horse known as "Pushover Citation" as entry number

232 in class number 17, at the Guntown Lion's Club Walking Horse Show.

II

1.   On June 13, 2009, respondent Larry T. Brady, in violation of sections 5(2)(B) and

5(7) of the Act (15 U.S.C. § 1824(2)(B) and § 1824 (7)), entered for the purpose of showing or

exhibiting the horse known as "Pushover Citation" as entry number 232 in class number 17, at

the Guntown Lion's Club Walking Horse Show, while the horse was sore and bearing a

prohibited substance.

2.   On June 13, 2009, respondent Larry T. Brady, in violation of sections 5(2)(D) of

the Act (15 U.S.C. § 1824(2)(D) and § 1824 (7)), constructively allowed the entry for the purpose

of showing or exhibiting the horse known as "Pushover Citation" as entry number 232 in class

number 17, at the at the Guntown Lion's Club Walking Horse Show, while the horse was sore

and bearing a prohibited substance.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the

respondent has in fact violated the Act, this complaint shall be served upon the respondent. The

respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture,

Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings

under the Act (7 C.F.R. §§ 1.130-162.13). Failure to file an answer shall constitute an admission

of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

1.   That unless the respondent fails to file an answer within the time allowed therefor,

or files an answer admitting all the material allegations of this complaint, this proceeding be set

for oral hearing in conformity with the Rules of Practice governing proceedings under the Act;

and

2.   That such order or orders be issued as are authorized by the Act and warranted under the circumstances including an order:

    (a)   Assessing civil penalties against the respondent in accordance with 15 U.S.C. § 1825(b) of the Act; and

(b)   Disqualifying the respondent for a specified period as provided in section

6(c) of the Act (15 U.S.C. § 1825(c)) from (1) showing, exhibiting or entering any horse, or

otherwise participating in any horse show or exhibition, and (2) judging or managing any horse

show, horse exhibition, horse sale or auction. "Participating" means engaging in any activity

beyond that of a spectator, and includes, without limitation, transporting or arranging for the

transportation of horses to or from equine events, personally giving instructions to exhibitors,

being present in the warm-up or inspection areas, or in any area where spectators are not allowed,

and financing the participation of others in equine events.

Done at Washington, D.C.
this 12th day of September, 2011

Acting Administrator
Animal and Plant Health
Inspection Service

FRANK MARTIN, JR.
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